

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Harrington, *et al.*  
Appl No.: Not Yet Assigned  
Filed: Concurrently Herewith  
For: COMPOSITIONS AND METHODS FOR NON-TARGETED ACTIVATION  
OF ENDOGENOUS GENES

Group Art Unit: Not Yet Assigned  
Examiner: Not Yet Assigned

JCE25 U.S. PTO  
09/760897  
01/17/01

February 25, 2000

Box Patent Application  
Assistant Commissioner for Patents  
Washington, DC 20231

**INFORMATION DISCLOSURE STATEMENT**  
**CITATION UNDER 37 C.F.R. § 1.97**

Sir:

Attached is a list of documents on form PTO-1449. It is requested that the Examiner consider these documents and officially make them of record in accordance with the provisions of 37 C.F.R. § 1.97 and Section 609 of the MPEP. By submitting the listed documents, Applicant in no way makes any admission as to the prior art status of the listed documents, but is instead submitting the listed documents for the sake of full disclosure.

All items are attached except those that were supplied in parent Application No. 09/276,820 filed March 26, 1999. Since the benefit of this application was claimed under 35 U.S.C. 120, no copies need to be furnished in accordance with 37 C.F.R. 1.98(d); however, copies will be furnished on request.

Respectfully submitted,

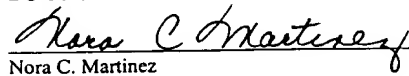


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Nora C. Martinez

<b>FORM PTO-1449</b> <b>INFORMATION DISCLOSURE STATEMENT</b>	ATTY. DOCKET NO.	5817-70	APPLICATION NO.	Not Yet Assigned
	APPLICANT			
	Harrington et al.			
FILING DATE		GROUP		
Concurrently Herewith		Not Yet Assigned		

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1	5,024,939	06/18/1991	Gorman	435 -	69.1	09/25/1987
	AB1	5,272,071	12/21/1993	Chappel	435	172.3	05/28/1992
	AC1	5,547,933	08/20/1996	Lin	514	8	06/07/1995
	AD1	5,561,053	10/01/1996	Crowley	435	69.1	08/05/1994
	AE1	5,578,461	11/26/1996	Sherwin et al.	435	69.1	08/05/1993
	AF1	5,580,734	12/03/1996	Treco et al.	435	6	09/06/1994
	AG1	5,618,698	04/08/1997	Lin	435	69.4	06/06/1995
	AH1	5,621,080	04/15/1997	Lin	530	350	06/06/1995
	AI1	5,641,670	06/24/1997	Treco et al.	435	240.2	05/13/1994
	AJ1	5,677,170	10/14/1997	Devine et al.	435	320.1	03/02/1994
	AK1	5,683,905	11/04/1997	Capon et al.	435	320.1	05/23/1995

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL1	WO 90/14092	11/29/1990	WIPO			Yes No
	AM1	WO 91/01140	02/07/1991	WIPO			Yes No
	AN1	WO 91/06667	05/16/1991	WIPO			Yes No
	AO1	WO 92/19255	11/12/1992	WIPO			Yes No
	AP1	WO 92/20808	11/26/1992	WIPO			Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	1	Ashe, M.P., et al., "Poly(A) site selection in the HIV-1 provirus: inhibition of promoter-proximal polyadenylation by the downstream major splice donor site," <i>Genes &amp; Develop.</i> 9:3008-3025 (1995).
AS	1	Auch, D., and Reth, M., "Exon trap cloning: using PCR to rapidly detect and clone exons from genomic DNA fragments," <i>Nucl. Acids Res.</i> 18:6743-6744 (1990).
AT	1	Avoustin, P., et al., "Non-homologous recombination within the Major Histocompatibility Complex creates a transcribed hybrid sequence," <i>Mammalian Genome</i> 5(12):771-776 (1994).

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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA2	5,707,830	01/13/1998	Calos	435	69.1	04/02/1997
	AB2	5,728,551	03/17/1998	Devine et al.	435	91.41	03/02/1995
	AC2	5,733,746	03/31/1998	Treco et al.	435	69.6	03/17/1995
	AD2	5,733,761	03/31/1998	Treco et al.	435	172.3	05/26/1995
	AE2	5,783,385	07/21/1998	Treco et al.	435	6	09/06/1994
	AF2	5,789,215	08/04/1998	Berns et al.	435	172.3	08/07/1997
	AG2	5,830,698	11/03/1998	Reff et al.	435	69.1	03/14/1997
	AH2	5,843,772	12/01/1998	Devine et al.	435	320.1	06/10/1996
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FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL2	WO 93/09222	05/13/1993	WIPO			Yes No
	AM2	WO 94/12650	06/09/1994	WIPO			Yes No
	AN2	AU 71893/94	06/30/1994	Australia			Yes No
	AO2	FR 2 707 091	01/06/1995	France			Yes No
	AP2	WO 95/31560	11/23/1995	WIPO			Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)			
	AR	2	Barker, C.S., et al., "Activation of the Prolactin Receptor Gene by Promoter Insertion in a Moloney Murine Leukemia Virus-Induced Rat Thymoma," <i>J. Virol.</i> 66(11):6763-6768 (1992).
	AS	2	Black, A.C., et al., "HTLV-II Rex Binding and Activity Requires an Intact Splice Donor Site and a Specific RNA Secondary Structure," <i>AIDS Res. &amp; Human Retroviruses</i> 8:870 (1992).
	AT	2	Brikun, I., et al., "Analysis of CRP-Cytr Interactions at the <i>Escherichia coli</i> <i>udp</i> Promoter," <i>J. Bacteriology</i> 178(6):1614-1622 (March 1996).

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	AL3	WO 96/04391	02/15/1996	WIPO			Yes No
	AM3	WO 96/29411	09/26/1996	WIPO			Yes No
	AN3	EP 0 742 285 A1	11/13/1996	Europe			Yes No
	AO3	WO 98/14614 A1	04/09/1998	WIPO			Yes No
	AP3	WO 99/07389 A1	02/18/1999	WIPO			Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	3	Buckler, A.J., et al., "Exon amplification: A strategy to isolate mammalian genes based on RNA splicing," <i>Proc. Natl. Acad. Sci. USA</i> 88:4005-4009 (1991).
	AS	3	Butturini, A., et al., "Oncogenes in Human Leukemias," <i>Acta Haematologica</i> 78(suppl. 1):2-10 (1987).
	AT	3	Butturini, A., and Gale, R.P., "Oncogenes and Human Leukemias," <i>Intl. J. Cell Cloning</i> 6(1):2-24 (1988).

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	AL4	WO 99/15650 A1	04/01/1999	WIPO			Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	4	Chakraborty, A.K., <i>et al.</i> , "Transforming function of proto-ras genes depends on heterologous promoters and is enhanced by specific point mutations," <i>Proc. Natl. Acad. Sci. USA</i> 88:2217-2221 (1991).
	AS	4	Chang, W., <i>et al.</i> , "Enrichment of Insertional Mutants Following Retrovirus Gene Trap Selection," <i>Virology</i> 193:737-747 (1993).
	AT	4	Chow, W.-Y., and Berg, D.E., "Tn5tac1, a derivative of transposon Tn5 that generates conditional mutations," <i>Proc. Natl. Acad. Sci. USA</i> 85:6468-6472 (1988).

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	AP						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	2	Church, D.M., et al., "Isolation of genes from complex sources of mammalian genomic DNA using exon amplification," <i>Nature Genetics</i> 6:98-105 (1994).
AS	5	Crabb, B.S., and Cowman, A.F., "Characterization of promoters and stable transfection by homologous and nonhomologous recombination in <i>Plasmodium falciparum</i> ," <i>Proc. Natl. Acad. Sci. USA</i> 93:7289-7294 (July 1996).
AT	5	Datson, N.A., et al., "Specific isolation of 3'-terminal exons of human genes by exon trapping," <i>Nucl. Acids Res.</i> 22(20):4148-4153 (1994).

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	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)			
	AR	<u>6</u>	Datson, N.A., et al., "Scanning for genes in large genomic regions: cosmid-based exon trapping of multiple exons in a single product," <i>Nucl. Acids Res.</i> 24:1105-1111 (March 1996).
	AS	<u>6</u>	De Benedetti, A., and Rhoads, R.E., "A novel BK virus-based episomal vector for expression of foreign genes in mammalian cells," <i>Nucl. Acids Res.</i> 19:1925-1931 (1991).
	AT	<u>6</u>	Dickson, C., et al., "Tumorigenesis by Mouse Mammary Tumor Virus: Proviral Activation of a Cellular Gene in the Common Integration Region int-2," <i>Cell</i> 37:529-536 (1984).

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	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	Z	Dostatni, N., <i>et al.</i> , "Use of Retroviral Vectors for Mapping of Splice Sites in Cottontail Rabbit Papillomavirus," <i>J. Gen. Virol.</i> 69:3093-3100 (1988).
	AS	Z	Duesberg, P.H., <i>et al.</i> , "Cancer Genes by Non-Homologous Recombination," In: <i>Boundaries between Promotion and Progression during Carcinogenesis</i> , Sudilovsky, O., <i>et al.</i> , eds., Plenum Press, New York, NY, pp. 197-211 (1991).
	AT	Z	Duyk, G.M., <i>et al.</i> , "Exon trapping: A genetic screen to identify candidate transcribed sequences in cloned mammalian genomic DNA," <i>Proc. Natl. Acad. Sci. USA</i> 87:8995-8999 (1990).

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	AO						Yes
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	AP						Yes
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OTHER (Including Author, Title, Date, Pertinent Pages, etc.)			
	AR	8	Frankel, W., et al., "Retroviral insertional mutagenesis of a target allele in a heterozygous murine cell line," <i>Proc. Natl. Acad. Sci. USA</i> 82:6600-6604 (1985).
	AS	8	Fujisawa, J.-I., et al., "Functional activation of the long terminal repeat of human T-cell leukemia virus type I by a trans-acting factor," <i>Proc. Natl. Acad. Sci. USA</i> 82:2277-2281 (1985).
	AT	8	Fung, Y.-K.T., et al., "Activation of the Cellular Oncogene c-erbB by LTR Insertion: Molecular Basis for Induction of Erythroblastosis by Avian Leukosis Virus," <i>Cell</i> 33:357-368 (1983).

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	AM						Yes No
	AN						Yes No
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	AP						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	2	Goff, S.P., "Gene Isolation by Retroviral Tagging," <i>Meth. Enzymology</i> 152:469-481 (1987).
AS	2	Hayward, W.S., et al., "Activation of a cellular <i>onc</i> gene by promoter insertion in ALV-induced lymphoid leukemia," <i>Nature</i> 290:475-480 (1981).
AT	2	Jackson, I.J., "A reappraisal of non-consensus mRNA splice sites," <i>Nucl. Acids Res.</i> 19(14):3795-3798 (1991).

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AR	<u>10</u>	Joshi, S., "A Putative Approach for Cloning 'Silent' Genes Using Retroviral Vectors," <i>Med. Hypoth.</i> 36:242-245 (1991).
AS	<u>10</u>	Joyner, A.L., "Gene Targeting and Gene Trap Screens Using Embryonic Stem Cells: New Approaches to Mammalian Development," <i>BioEssays</i> 13:649-656 (1991).
AT	<u>10</u>	Junejo, F., et al., "Sequence analysis of the herpes simplex virus type 1 strain 17 variants 1704, 1705 and 1706 with respect to their origin and effect on the latency-associated transcript sequence," <i>J. Gen. Virol.</i> 72:2311-2315 (1991).

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AR	11	King, W., et al., "Insertion Mutagenesis of Embryonal Carcinoma Cells by Retroviruses," <i>Science</i> 228:554-558 (1985).
AS	11	Kreissig, S., et al., "Expression of peptides encoded by exons in cloned mammalian DNA," <i>Nucl. Acids Res.</i> 24:4358-4359 (November 1996).
AT	11	Lemay, G., and Jolicoeur, P., "Rearrangement of a DNA sequence homologous to a cell-virus Junction fragment in several Moloney murine leukemia virus-induced rat thymomas," <i>Proc. Natl. Acad. Sci. USA</i> 81:38-42 (1984).

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AR	12	Liang, Y., et al., "Effects of Alternate RNA Splicing on Glucokinase Isoform Activities in the Pancreatic Islet, Liver, and Pituitary," <i>J. Biol. Chem.</i> 266(11):6999-7007 (1991).
AS	12	Lih, C.-J., et al., "Rapid identification and isolation of transcriptionally active regions from mouse genomes," <i>Gene</i> 164:289-294 (1995).
AT	12	Liu, Z., et al., "The E6 Gene of Human Papillomavirus Type 16 Is Sufficient for Transformation of Baby Rat Kidney Cells in Cotransfection with Activated Ha-ras," <i>Virology</i> 201:388-396 (1994).

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	AR	<u>13</u>	Mölders, H., <i>et al.</i> , "Integration of transfected LTR sequences into the <i>c-ras</i> proto-oncogene: activation by promoter insertion," <i>EMBO J.</i> 4(3):693-698 (1985).
	AS	<u>13</u>	Moore, R., <i>et al.</i> , "Sequence, topography and protein coding potential of mouse <i>int-2</i> : a putative oncogene activated by mouse mammary tumour virus," <i>EMBO J.</i> 5(5):919-924 (1986).
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	AR	<u>14</u>	Muth, K., et al., "Disruption of Genes Regulated During Hematopoietic Differentiation of Mouse Embryonic Stem Cells," <i>Develop. Dynamics</i> 212:277-283 (June 1998).
	AS	<u>14</u>	Neel, B.G., et al., "Molecular Analysis of the c-myc Locus in Normal Tissue and in Avian Leukosis Virus-Induced Lymphomas," <i>J. Virol.</i> 44(1):158-166 (1982).
	AT	<u>14</u>	Nicolas, J.-F., and Rubenstein, J.L.R., "Retroviral Vectors," In: <i>Vectors: A Survey of Molecular Cloning Vectors and Their Uses</i> , Rodriguez, R.L., et al., eds., Butterworths Publs., Stoneham, MA, pp. 493-513 (1988).
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AR	15	Nilsen, T.W., <i>et al.</i> , "c-erbB Activation in ALV-Induced Erythroblastosis: Novel RNA Processing and Promoter Insertion Result in Expression of an Amino-Truncated EGF Receptor," <i>Cell</i> 41:719-726 (1985).
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AR	16	Nouvel, P., "The mammalian genome shaping activity of reverse transcriptase," <i>Genetica</i> 93:191-201 (1994).
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AR	<u>17</u>	Payne, G.S., et al., "Multiple arrangements of viral DNA and an activated host oncogene in bursal lymphomas," <i>Nature</i> 295:209-215 (1982).	
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AR	18	Reinhart, T.A., <i>et al.</i> , "RNA Splice Site Utilization by Simian Immunodeficiency Viruses Derived from Sooty Mangabey Monkeys," <i>Virology</i> 224:338-344 (October 1, 1996).
AS	18	Robinson, W.S., "Molecular Events in the Pathogenesis of Hepadnavirus-Associated Hepatocellular Carcinoma," <i>Annu. Rev. Med.</i> 45:297-323 (1994).
AT	18	Salminen, M., <i>et al.</i> , "Efficient Poly A Trap Approach Allows the Capture of Genes Specifically Active in Differentiated Embryonic Stem Cells and in Mouse Embryos," <i>Develop. Dynamics</i> 212:326-333 (June 1998).

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AR	19	Segal, D., et al., "Genetic Transformation of <i>Drosophila</i> Cells in Culture by P Element-Mediated Transposition," <i>Somatic Cell and Mol. Genetics</i> 22(2):159-165 (March 1996).
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	AR	<u>20</u>	Shin, S., and Steffen, D.L., "Frequent activation of the <i>lck</i> gene by promoter insertion and aberrant splicing in murine leukemia virus-induced rat lymphomas," <i>Oncogene</i> 8:141-149 (1993).
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	AT	<u>20</u>	Stary, A., and Sarasin, A., "Simian virus 40 (SV40) large T antigen-dependent amplification of an Epstein-Barr virus-SV40 hybrid shuttle vector integrated into the human HeLa cell genome," <i>J. Gen. Virol.</i> 73:1679-1685 (1992).

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	AR	<u>21</u>	Steffen, D., "Proviruses are adjacent to c-myc in some murine leukemia virus-induced lymphomas," <i>Proc. Natl. Acad. Sci. USA</i> 81:2097-2101 (1984).
	AS	<u>21</u>	Sun, T.-Q., et al., "Human artificial episomal chromosomes for cloning large DNA fragments in human cells," <i>Nature Genetics</i> 8:33-41 (1994).
	AT	<u>21</u>	Takami, Y., et al., "Cloning and Characterization of Human Papillomavirus Type 52 From Cervical Carcinoma in Indonesia," <i>Int. J. Cancer</i> 48:516-522 (1991).
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OTHER (Including Author, Title, Date, Pertinent Pages, etc.)			
	AR	<u>23</u>	van Ooyen, A., and Nusse, R., "Structure and Nucleotide Sequence of the Putative Mammary Oncogene <i>int-1</i> ; Proviral Insertions Leave the Protein-Encoding Domain Intact," <i>Cell</i> 39:233-240 (1984).
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	AR	24	Xiong, J.-W., et al., "Large-Scale Screening for Developmental Genes in Embryonic Stem Cells and Embryoid Bodies Using Retroviral Entrapment Vectors," <i>Develop. Dynamics</i> 212:181-197 (June 1998).
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	AT	24	Dialog File 351, Derwent WPI English language abstract for FR 2 707 091.

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	AR	25	Drug Discovery News, "Lexicon Genetics, Inc.," Genetic Engin. News 19:35 (March 1999).
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